2011-2013 Building Communities Fund (BCF) Grant Guidelines

COMPETITIVE GRANT PROGRAMS:

- Building for the Arts ■
- Building Communities Fund ■
- Youth Recreational Facilities

Capital grants for nonresidential community and social service projects.

There is no minimum or maximum grant award amount. **Small and rural projects are encouraged to apply!**

A standard award of up to 25 percent state match of eligible project costs.

Application Deadline: Thursday, July 1, 2010 at 5 p.m.

Grant application workshops:

Tuesday, June 8, 2010 in Spokane Wednesday, June 9, 2010 in Seattle Thursday, June 10, 2010 in Vancouver (see back page for details)

To receive the latest info, please join our listserv: http://listserv.wa.gov/archives/capital-programs.html

Commerce Capital Programs

P.O. Box 42525 Olympia, WA 98504-2525 (360) 725-3075 www.commerce.wa.gov



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE
906 Columbia St. SW • PO Box 42525 • Olympia, Washington 98504-2525 • 360-725-3075

Dear Reader:

We're excited about beginning the 2nd grant cycle of Building Communities Fund (BCF). This program has helped to make community facilities more accessible and enjoyable throughout the state. In its inaugural funding cycle Commerce awarded more than \$28 million in construction grants to nonprofit organizations. In addition, BCF has served as a model for several other state grant programs.

The citizen advisory committee that ranks BCF grant applications is familiar with the budgetary and management pressures faced by today's nonprofits. That's why we have strived to keep the application process as streamlined and user-friendly as possible. Although the new application form (posted on our website) is similar to the one used in the last grant cycle, it has been updated to address some significant changes in state law and administrative procedures (these are summarized on the following page).

Before you submit an application I'd strongly encourage you to join our listserv, attend a grant application workshop, and discuss your project with our staff. We look forward to helping you achieve your facility-development goals.

With Best Regards,

Daniel Aarthun, Manager Commerce Capital Programs

PS: If you are unsure about whether to apply for a BCF grant, be sure to contact us. We may be able to suggest creative ways to align your goals with our rules and procedures.

2011-2013 New Policy Highlights

Community Service Objective

An applicant can qualify for funding consideration by demonstrating that a proposed project will offer three or more distinct activities that meet a single community service objective, i.e. a food bank providing (1) food for the needy (2) food program outreach and (3) nutritional education.

Review Process

The Department of Commerce will solicit, evaluate and rank applications for the Building Communities Fund.

Acquisition Projects

All acquisition projects must provide a current (six-nine month) appraisal or County Assessment of the site to be purchased.

Property Liens

All capital projects that involve the expenditure of \$250,000 or more in state funds must list Department of Commerce on the deed of trust and provide title insurance. Projects that consist of renovations to facilities that are leased or design-only projects are exempt.

Audit

If your project is funded, all capital projects that involve the expenditure of \$100,000 per fiscal year are required to have a financial audit (Yellow Book Audit). This audit must be performed every year in which \$100,000 or more in state funds is spent.

Reimbursement/Billing Procedures

All capital project reimbursements shall be evidenced by documentation showing the cost has already been paid. The Grantee shall provide copies of the cancelled check or electronic funds transfer (as applicable) confirming payment of each expenditure for the amount of each invoice claimed.

New LEED Requirements

Most projects are required to apply for LEED silver certification. However, renovation projects that involve a new addition to an existing building may not require LEED certification.

PART 1: PROGRAM BACKGROUND AND ELIGIBILTY REQUIREMENTS

Background

The 2008 Legislature enacted the Building Communities Fund (BCF) to provide a means of identifying qualified community and social service capital projects, and providing capital support to nonprofit agencies and their partners to develop or improve these facilities.

These investments play a key role in improving the economic, social, and educational climate in distressed communities.

1.1 Program purpose

This program awards state grants to nonprofit, community-based organizations to defray up to 25 percent of eligible capital costs to acquire, construct, or rehabilitate nonresidential community service centers. Under exceptional circumstances the state share of project costs may exceed that amount (see 1.8 on Page 6). There is no minimum or maximum grant award amount.

BCF is a state program financed entirely through the sale of state bonds. No federal dollars are involved. This program operates under <u>RCW</u> 43.63A.125.

1.2 Applicant eligibility

All applicants must meet the following eligibility standards *at the time the application is submitted:*

- Be registered in the state of Washington as a nonprofit organization;
- Possess a current or advance ruling 501(c)3 Internal Revenue Service registration;
 - Have a legally constituted board

of directors;

- Agree to enter the LEED certification process or receive an exemption from Commerce (see Page 13);
- Agree to pay state prevailing wages as of the date the budget becomes effective (see 3.7 on Page 10).
- have control of the project site via ownership or executed long-term lease (15 years);
- have made substantial progress in an active capital fundraising campaign dedicated to the project, or have secured all non-state funding needed to complete the project.

1.3 Eligible projects

A proposed project must:

- Be a nonresidential facility;
- Consist of acquisition, construction, or rehabilitation of a facility used to deliver community services (social service and multipurpose community centers) including those serving a distinct or ethnic population;
- Be located in a "distressed community" **or** serve a substantial number of low-income or disadvantaged persons.

A distressed community is defined as:

- A <u>county</u> that has an unemployment rate that is 20 percent above the state average for the immediate previous three years;
- An area within a county designated as a <u>low-income community</u> under the U.S. Department of the Treasury's Community Development Financial Institutions Fund's New Markets Tax Credit program; **OR**
 - A school district in which at

This is not a funding source for homeless shelters, transitional housing, or retail operations.

least 50 percent of local elementary students receive free and reduced-price meals.

To qualify as serving "a substantial number of low-income or disadvantaged persons" applicants must demonstrate that at least 40 percent of service recipients are at or below 200 percent of the U.S. Dept. of Health and Human Services Poverty Level Guidelines or qualify as "disadvantaged" as outlined by the federal Small Business Administration's Individual Determinations of Social and Economic Disadvantage. Please see our website for more information.

To qualify, applicants must also demonstrate that the project meets all 10 of the following benchmarks:

- **I.** Will increase the range, efficiency, or quality of the services provided;
- **II.** Will be located in a distressed community or serve a substantial number of low-income or disadvantaged persons;
- **III.** Will offer a diverse set of on-site activities that meet multiple community service objectives;
- **IV.** Reflects a long-term vision for the development of the community,

shared by residents, businesses, leaders, and partners;

- **V.** Requires state funding to accomplish a discrete, usable phase of the project;
- **VI.** Is ready to proceed and will make timely use of the funds;
- VII. Is sponsored by one or more entities that have the organizational and financial capacity to fulfill the terms of the grant agreement and to maintain the project into the future;
- **VIII.** Fills an unmet need for community services;
- **IX.** Will achieve its stated objectives; **AND**
- **X.** Is a community priority as shown through tangible commitments of existing or future assets made to the project by community residents, leaders, businesses, and government partners.

1.4 Partnerships

Applicants must be a 501(c)3 non-profit. Other nonprofits, local jurisdictions, or tribes may partner with the applicant, but the nonprofit must be the primary beneficiary and exercise substantial control over the facility's management.

All partnerships must provide a copy of an executed joint-operating

Commerce Capital Programs

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Director

Dan McConnon

Community Services & Housing Assistant Director

WHERE TO FIND IT	
Applications BCF 2011-13 application form	Ineligible costs

We have a strong commitment to supporting facilities serving rural parts of the state. If you aren't sure about whether to apply for a BCF grant, please speak with us. We're here to help you succeed!

agreement that:

- Lasts a minimum of 15 years;
- Establishes the applicant as possessing substantial authority to manage the facility and its services; and
- Contains a contingency plan to address the possibility of dissolution or other change of ownership.

Nonprofit-public partnerships will be assessed for whether their project will benefit the community at large rather than the participating public agency's clients or students. These partnerships must also demonstrate financial need.

1.5 LLCs and nonprofits

The applicant's facility may be owned by a limited liability corporation (LLC) as long as the nonprofit holds the majority interest (more than 50 percent) through the duration of a tax credit program. Upon dissolution of the LLC, all control and assets must revert to the grantee.

The applicant must be able to demonstrate that it is receiving a significant benefit from the arrangement through a reduction in the capital costs of the facility.

1.6 Mixed-use facilities

A facility that is part of a larger, mixed-use project (such as retail or condominium space) may be eligible for funding. However, this grant can only fund the capital costs of the eligible project space.

1.7 Multiple applications

Organizations with multiple facilities can apply for up to three BCF grants each cycle. Note, however, that we strive to broadly distribute funds among communities and social services throughout the state.

1.8 "Exceptional Circumstances"

The state's contribution may exceed 25 percent under "exceptional circumstances." These include projects affected by natural disasters, emergencies beyond an applicant's control, such as a fire or an unanticipated loss of a lease where services are currently provided, a delay that could result in a threat to public health and/or safety, and instances where a local community could quantifiably demonstrate that they had exhausted all possible fundraising efforts.

1.9 LEED exemptions

All applicants are required to enter the LEED certification process or get an exemption. You may do the latter before applying for a grant or as part of your application (see Page 13).

This publication is available in an alternative format upon request. Events sponsored by Commerce are accessible to persons with disabilities. Accommodations may be arranged with a minimum of 10 working days notice by calling 360-725-3075.

PART 2: THE REVIEW PROCESS

2.1 Application submissions

Applications must be postmarked or received by Thursday, July 1, 2010 at 5p.m.* We prefer that they be mailed rather than hand delivered. Please use the post office box address listed on the front page of these guidelines.

If hand delivered, your application must arrive at our office by 5 p.m. on the above deadline date (our street address is listed on Page 5).

In the interest of fairness, deadlines will be strictly observed and applications received after the deadline will be returned without review. Note that "postmark" refers to a United States Postal Service (USPS) postmark.

2.2 Preliminary review

After the submittal deadline, staff will review applications for eligibility and completeness. Those that are incomplete or do not meet eligibility standards will not be forwarded to the

BCF Advisory Committee for review.

2.3 Applicant notification

After the preliminary review, each applicant will receive written notification from Commerce Capital Programs as to whether their project has been forwarded to the advisory committee.

Those whose projects are not forwarded to the BCF Advisory Committee will be informed of the reasons in writing, and are encouraged to discuss with our staff how to prepare a more competitive grant for a future funding cycle.

2.4 Advisory committee role

The BCF Advisory Committee helps develop program policy, reviews applications, and recommends projects for review by the Governor and Legislature. The committee consists of volunteers with demonstrated expertise in funding, administering, or advocating for social service organizations.

The BCF Advisory
Committee includes
grant officers from
major foundations.
The caliber of your
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2011-2013 BCF GRANT DATES

BCF grant application workshops

Applications due (no exceptions)

Notification of preliminary review results

BCF Advisory Committee work session

Recommendations forwarded to Governor and Legislature

Governor releases proposed capital budget

2011-2013 Capital Budget signed into law

Commerce Capital Programs may begin disbursing funds

Expiration of funds without legislative action

June 8-10, 2010

July 1, 2010

July 2010

August 23-24, 2010

September 2010

(estimated)

December 2010 (estimated)

May 2011 (estimated)

Sept. 2011 (estimated)

June 30, 2013

* In addition to submitting hard-copy materials, we require that you send us a completed application form as an email attachment. This is also due Thursday, July 1, 2010 at 5 p.m. For details download the application template, which is posted on our website.

The committee includes grant officers from major foundations. The caliber of your application could influence your project's success with funding sources beyond our program.

2.5 Committee work session

The BCF Advisory Committee is scheduled to convene a work session in SeaTac on Monday and Tuesday, August 23 and 24, 2010. The committee will review project applications and develop a ranked list of qualified eligible projects.

2.6 Committee Testimony

Applicants will be given time to offer testimony about their proposals and answer questions from committee members. You are not required to attend in order to be considered for funding.

The allotted time will range from 10 to 20 minutes, depending on the number of applications forwarded to the committee. We strongly encourage concise, low-tech presentations with as few presenters, props, and handouts as possible. You can best respond to any committee concerns about your project by allotting plenty of time for questions. Presenters should have nuts-and

bolts knowledge about the project and the application.

2.7 Appropriations process

The committee will forward its recommendations, in the form of a ranked list of projects and funding levels, to the Commerce director in the fall of 2010. If approved by the director, the list will be submitted to the Governor's budget office (Office of Financial Management), and thereupon to the Washington State Legislature for funding consideration in the 2011-2013 legislative session.

The 2011 Legislature will make the final determination as to which projects, if any, receive grants, and the dollar amounts of the awards.

2.8 Appeals

The committee's decisions are final and cannot be appealed. However, staff would be happy to assist in strategizing how to develop an application for a future funding cycle.

Grants are subject to an administrative fee

Commerce Capital Programs is authorized to retain up to 3 percent from each award to cover all administration costs. This is our sole source of funding; we receive no state General Fund dollars. For the 2009-2011 Biennium we retained 2.5 percent from competitive grants such as those offered by the BCF program. Keep this in mind as you develop your project budget.

PART 3: CONTRACTING SPECIFICS

3.1 Funding restrictions

This program is funded through the sale of state capital bonds, and includes no federal funds.

We strive to administer funds expediently and with a minimum of red tape. We do so within the policies and procedures established by the Legislature, the state Office of Financial Management, the Treasurer, the Office of the Attorney General, and Commerce. We must also comply with federal arbitrage regulations.

BCF awards are funded through an appropriation in the capital budget. A grant can only be spent by the designated organization for costs that fit the scope of work listed in the grant application. In other words, the application becomes a controlling document that guides how a grant can be spent.

3.2 Cost reimbursement

Capital budget funds are available on a reimbursement basis only, and cannot be advanced under *any* circumstances. Reimbursable costs are those that a grantee has already incurred and paid.

We may reimburse grant recipients for costs incurred prior to the date a contract is executed, and as far back as July 1, 2008. The project start date must be accurately stated in the application in order for us to do so.

3.3 Matching funds

BCF grants may be used to pay up to 25 percent or more of *eligible* project costs (see 3.12, Page 11). We cannot match other state grants. This is why

these funds cannot be included in your BCF grant application's project budget.

Non-state matching funds may consist of cash on hand, credit, documented pledge commitments, the value of land acquired for the project (not earlier than July 1, 2008), and in-kind contributions when properly documented (see box on Page 12).

Grantees may also include the proceeds of a letter of credit or other binding loan commitments as part of their non-state matching funds. The value of land used as non-state match must be supported by an appraisal performed by a certified professional appraiser.

3.4 Availability of funds

After the Legislature approves the capital budget it must be reviewed and signed by the Governor. Unlike the operating budget, which takes effect on July 1 of each odd-numbered year, the capital budget generally takes effect in mid-May or early-June of the year in which it is signed.

Once this occurs, the Office of Financial Management will allot the BCF funds to the agency; this makes funds available for expenditure to program recipients. We anticipate that grantees will begin receiving funds on or about September 1, 2011.

Contracts generally take three to four weeks to execute once the grantee provides us with all needed information. Contracts are developed on a first-come, first-served basis. A contract cannot be written until the grantee has met all the funding conditions.

Due to these uncertainties, grantees

This is a reimbursement-style grant, and you may start drawing down funds only after all other money needed to complete the project has been raised (see 3.5). However, you can receive reimbursement for any eligible costs incurred as far back as July 1, 2008 (see 3.2).

are advised to talk with Commerce Capital Programs staff before including state funds into their cash-flow projections

3.5 Contracting conditions

Three requirements must be met before grantees can begin drawing down their grant funds.

- Grantees must demonstrate in writing the financial capability to complete the project. This generally means that the entire amount of non-state matching funds must have been committed (but not necessarily in hand).
- Grantees must provide written evidence of site control, either through outright ownership of the subject property or an executed long-term lease (at least 15 years).
- The projects of some grantees may be reviewed by the state Dept. of Archaeology and Historic Preservation (DAHP) under Executive Order 05-05. This review must be satisfactorily completed before a contract can be developed.

3.6 Documenting expenses

We reimburse contractors only after receiving copies of the original billing documents (invoices) and copies of cancelled checks or electronic funds transfer, as applicable. In all cases, costs must be documented and auditable.

3.7 Prevailing-wage law

Construction projects that receive any of our grants are required to pay state prevailing wages as of the date the Capital Budget is signed. Construction labor includes landscaping. Acquisition-only projects are exempt from state prevailing wage law (RCW 39.12). Note that these projects must result in a usable facility. The Dept. of Labor and Industries is the state agency that implements prevailing wage law. For more information, contact Industrial Statistician David Soma at (360) 902-5330 or somd235@LNI.wa.gov.

3.8 Archeological review

Some projects may need to be reviewed for archeological and cultural resources. This is required of projects not undergoing a Section 106 review under the National Historic Preservation Act if the project:

- disturbs ground, and/or
- involves structures more than 50 years old.

Projects that fit these criteria and are recommended for funding by the BCF Advisory Committee will be given further information about the review process.

3.9 Reappropriations

Some grant recipients may not be able to expend all of their funds by the end of the 2011-2013 Biennium (June 30, 2013), and any unexpended funds will lapse on that date unless reappropriated. Although not legally obligated to do so, the Legislature generally reappropriates unspent funds for long-term capital projects such as those funded through BCF.

3.10 Rescinding funds

If an organization does not begin drawing down its funds within 12 months of the start of the biennium (July 1, 2011) we reserve the right to rescind the authorization. Commerce reserves the right to rescind any authorization

and reallocate the funds to the next organization on the BCF award list. If this occurs, the organization may reapply for funding in future grant cycles.

3.11 Change of ownership

Most of the capital projects constructed with state funds require that the facility or project be held by the grantee for a period of time appropriate to the amount of the state grant (15 years) and that the facility or project be used for the same purpose expressed in the enabling legislation or contract.

3.12 Eligible costs

Capital budget funds may generally be used to pay for the following construction-related expenses incurred as far back as July 1, 2008:

- design, architectural, and engineering work;
- building permits/fees;
- archeological/historical review;
- construction labor and materials;
- demolition/site preparation;
- capitalized equipment;
- information technology infrastructure (cables and wiring);
- construction management (from external sources only)*;
- initial furnishings**;
- landscaping, and
- real property when purchased specifically for the project, and associated costs.***

3.13 Ineligible costs

Our grants are intended to fund bricks and mortar. This is why the following costs are not eligible for reimbursement and *cannot be used to match state funds*:

- internal administrative activities;
- project management (from any sources);

- fundraising activities;
- feasibility studies;
- computers or office equipment;
- rolling stock (such as vehicles);
- lease payments for rental of equipment or facilities;
- mortgages and property leases (including long-term);
- the moving of equipment, furniture, etc., between facilities; and
- painting and other regular maintenance costs.

3.14 Loan paydowns/payoffs

We can assist in paying down or paying off a construction or bridge loan that was incurred on or after July 1, 2008 as part of the project. BCF grants cannot be used to refinance debt, e.g., to pay down a mortgage regardless of when it was incurred.

- * Construction management and observation is on-site management and/or supervision of the work site and workers thereon. This is an eligible project cost. Construction management does not include work typically performed by offsite consultants or consultant organizations, grant writers, project managers, or employees of the grantee, unless the employee is hired solely and specifically to perform on-site construction management as defined above.
- ** Furnishings and equipment are considered eligible project costs as long as the average useful life of the item purchased is 13 years or more.
- *** Costs directly associated with property acquisition include appraisal fees, title opinions, surveying fees, real estate fees, title transfer taxes, easements of record, and legal expenses.

State (as opposed to federal) prevailing wages are required of all construction projects as of the date the budget becomes effective. (see 3.7).

Loans and bonds in a capital campaign

The legislative intent of this program is to reward nonprofit organizations' successful capital campaigns. However, the BCF committee recognizes that these campaigns may take on a variety of permutations depending upon such factors as the nature of the project, the fundraising climate in a given part of the state, and an applicant's prior experience with large-scale fundraising.

For example, it may make sense for some projects to depend heavily on loans or bonds. The BCF committee will consider these types of projects if they show evidence of financial sustainability.

Loans and other credit instruments are treated the same as cash in meeting a grantee's non-state match requirement — as long as they were incurred after June 30, 2008 specifically for the project (see 3.14 on Page 11). A bridge loan could allow the release of a grantee's funds if there have been delays in the completion of its fundraising drive.

Bonds will be viewed as committed funds if the applicant documents:

- its bonding capacity; and
- a legal commitment to issue bonds dedicated to the project.

Construction
management does
not include work
performed by off-site
consultants or
consultant organizations, grant writers, or
project managers.

(see 3.14)

How should in-kind donations be handled?

You may apply in-kind donations toward your match requirement. Eligible donations include property, labor (except when donated by an applicant's paid staff), materials, or equipment as long as their value can be properly assessed and documented.

For example, the value of donated real estate must be documented by a appraisal performed by a certified professional appraiser or county assessment.

We treat in-kind professional and nonprofessional labor differently. Professional labor is calculated at the rate a volunteer would normally charge for his or her services (be sure to document these costs with invoices). Nonprofessional labor is calculated at \$10 per hour. This can be documented with a memo itemizing the type of work done and number of

hours worked by your volunteers.

There is no limit to the portion of inkind donations that can be applied to your non-state match. However, we reserve the right to make the final determination regarding the acceptability of in -kind contributions.

The BCF committee is wary of projects too dependent on in-kind donations, particularly if they are heavily leveraged with loans. This is why the amount of nonprofessional, in-kind labor you can receive credit for in our formula points is capped at 10 percent of project costs.

In general, reviewers look for evidence that an applicant has the ability to raise the funds needed to complete the project and cover its ongoing costs of operation.

High-performance Buildings

The 2005 Washington State Legislature passed a law that may require many of our competitive grant recipients to comply with what has been termed "high-performance" or "green" building standards (RCW 39.35D).

The legislation's goal is for major capital facilities projects receiving state dollars to be built to the LEED silver standard. LEED (which stands for Leadership in Energy and Environmental Design) is a certification program run by the U.S. Green Building Council.

According to the American Institute of Architects, high-performance buildings are cheaper to operate, save water and energy, and improve worker performance.

These building principles offer the most savings when incorporated early in the design process. That's why we strongly encourage you to talk with your architect as soon as possible.

The first issue you may wish to explore is whether your project is required to meet the LEED silver standard. The law offers two types of exemptions.

Exemption 1: Facility types

Four facility types are exempt:

- acquisition-only projects;
- new construction less than 5,000 gross square feet of occupied or conditioned space as defined by the State Energy Code;
- renovation projects whose costs are less than 50 percent of the facility's assessed value *and* are less than 5,000 gross square feet of occupied or conditioned space; or

■ facilities such as hospitals; research facilities primarily used for laboratory experimentation, research, or training in research methods; or similar building types.

Exemption 2: 'Not practicable'

Renovation projects that involve a new addition to an existing building may not be required for LEED Certification. We are not permitted to offer this exemption solely because of cost or timing-related issues.

Pre-application exemption requests

You don't need to wait until you turn in a grant application to find out if your project will be exempted. Our website has a *LEED Certification Declaration* form that you and your architect fill out. If you are seeking a "not practicable" exemption, in the form you provide a rationale for your request (your architect may be helpful here). We will quickly let you know if your exemption is approved.

Visit our web page and talk to us

We've created a web page devoted to this requirement. You'll find the *LEED Certification Declaration* form, and links to grant opportunities that may help you cover extra up-front costs. If you have any questions about the LEED requirement, please don't hesitate to give us a call.

- Get your questions answered
- Learn from other applicants
- Meet Commerce Capital Programs staff

AT BUILDING COMMUNITIES FUND GRANT WORKSHOPS!

Join us for a grant application workshop. These free workshops — offered in both Eastern and Western Washington — will consist of a brief presentation about the Building Communities Fund (BCF) program, followed by a step-by-step review of the application process, and a question-and-answer period. Because this is a newer program, we would strongly encourage even seasoned grant writers to attend. Please RSVP to Capital Programs <a href="https://example.com/here/beta-building-com/

Spokane Workshop

Tuesday, June 8, 2010 9 a.m. - 12 p.m. Spokane Community College 1810 North Greene Street Bldg. 6, Room 124C Spokane, WA (509) 533-7000 (800)-248-5644

*Contact Capital Programs staff for parking pass

For directions & parking information:

http://www.scc.spokane.edu/ maps/campus.htm

Seattle Workshop

Wednesday, June 9, 2010 11 a.m. - 1 p.m.

Seattle Center 305 Harrison Street Lopez Room

Seattle, WA (206) 684-7200

For directions & parking information:

http://www.seattlecenter.com/ Information/map.asp

Vancouver Workshop

Thursday, June 10, 2010 11 a.m. - 1 p.m. Vancouver Conference Center 4700 N. E. 78th Street Vancouver, WA (360) 397-2446

For directions:

Click here for directions

Commerce Capital Programs

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